

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

JACOB POOCHIGIAN,

Plaintiff

v.

CONNIE STEINHEIMER, et. al.,

Defendants

Case No.: 3:18-cv-00512-MMD-WGC

**Report & Recommendation of
United States Magistrate Judge**

This Report and Recommendation is made to the Honorable Miranda M. Du, Chief United States District Judge. The action was referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and the Local Rules of Practice, LR 1B 1-4.

Plaintiff, who is incarcerated within the Nevada Department of Corrections (NDOC), at Ely State Prison (ESP), filed a civil rights complaint, and subsequently filed an application to proceed in forma pauperis (IFP). (ECF Nos. 1-1, 3.) On December 5, 2019, the court issued an order advising Plaintiff that his IFP application was missing the required financial certificate for an inmate wishing to proceed IFP. Therefore, he needed to either file the financial certificate or pay the filing fee. The court also advised Plaintiff that after the IFP application and financial certificate were filed, or the filing fee was paid, the court is required to screen his complaint. The court undertook a preliminary review of his complaint and it did not appear that he stated any claim upon which relief could be granted. Therefore, the court also required Plaintiff to submit an amended complaint. The court gave Plaintiff 30 days to complete these tasks, and warned him if he failed to do so that his action would be dismissed without prejudice. (ECF No. 6.)

1 As of the date of this Order, Plaintiff has not filed the financial certificate, paid the filing
2 fee, or submitted an amended complaint. Therefore, it is recommended that this action be
3 dismissed without prejudice and the case be administratively closed.

4 **RECOMMENDATION**

5 IT IS HEREBY RECOMMENDED that the District Judge enter an order **DISMISSING**
6 this action without prejudice and administratively closing the case.

7 Plaintiff should be aware of the following:

8 1. That he may file, pursuant to 28 U.S.C. § 636(b)(1)(C), specific written objections to
9 this Report and Recommendation within fourteen days of being served with a copy of the Report
10 and Recommendation. These objections should be titled “Objections to Magistrate Judge’s Report
11 and Recommendation” and should be accompanied by points and authorities for consideration by
12 the district judge.

13 2. That this Report and Recommendation is not an appealable order and that any notice of
14 appeal pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure should not be filed
15 until entry of judgment by the district court.

16 Dated: March 16, 2020.

17 William G. Cobb

18 William G. Cobb
19 United States Magistrate Judge
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